

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: <u>30</u> December 2004 (30.12.2004)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NO. (if known): 107519484 NOT YET Assigned
INTERNATIONAL APPLICATION NO.: PCT/JP2003/008410	INTERNATIONAL FILING DATE: 02 July 2003 (02.07.2003)	PRIORITY DATE CLAIMED: 02 July 2002 (02.07.2002)
TITLE OF INVENTION: CICLESONIDE-CONTAINING STERILE AQUEOUS SUSPENSION		
APPLICANT(S) FOR DO/EO/US: NISHIBE, Yoshihisa; NAGANO, Atsuhiro; TAKANASHI, Kazuya; UEJIMA, Yasuhide		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) executed in the PCT Request</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL FORM; FEE CALCULATION; INTERNATIONAL PUBLICATION WO 2004/004739 A1; INTERNATIONAL PUBLICATION DATE 15 JANUARY 2004 WITH SEARCH REPORT WHICH CONSISTING OF 19 PAGES INCLUDING 2 COVER SHEETS CONTAINING THE ABSTRACT; 14 PAGES TEXTUAL SPECIFICATION, 1 PAGE OF 7 CLAIMS, 2 SHEETS DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A & B TO BE EXAMINED; UNEXECUTED INVENTOR'S DECLARATION AND POWER OF ATTORNEY; PCT/IPEA/409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT; PCT/IB/304 TRANSMITTAL OF PRIORITY DOCUMENT; PCT/IB/306 NOTIFICATION OF THE RECORDING OF A CHANGE; PCT/IB/308 NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES; PCT/IB332 INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION. </p>		

U.S. APPLICATION NO. (if known) not yet assigned 10/519484	INTERNATIONAL APPLICATION NO. PCT/JP2003/008410	DATE: 30 December 2004 (S 12.2004)	
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): with Basic Search and Examination fee :.....\$1,000.00		<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
		\$ 1,000.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NO. FILED	NO. EXTRA	RATE
TOTAL	9 -20=	0	X \$ 50.00
INDEPENDENT	2 - 3=	0	X \$ 200.00
Multiple dependent claims(s) (if applicable)		+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =		\$ 1,000.00	
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).		\$ 0.00	
SUBTOTAL =		\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +		\$ 0.00	
TOTAL NATIONAL STAGE FILING, SEARCH & EXAMINATION FEE =		\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 0.00	
TOTAL FEES ENCLOSED =		\$ 1,000.00	
		Amount to be: refunded charged	\$

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- a. One check in the amount of \$1,000.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 14-0112 in the amount of \$_____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. Fees are to be charged to a credit card ____ WARNING: Information on this form may become public ____ Credit Card Information should not be included on this form. ____ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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10/519484

MAIL STOP PCT

Attorn Docket No. 26430U

DT12 Rec'd PCT/PTO 30 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

NISHIBE et al.

International Application No. PCT/JP2003/008410

Serial No. NOT YET ASSIGNED

International Filing Date: 2 July 2003 (02.07.2003)

Filed: December 30, 2004

For: CICLESONIDE-CONTAINING STERILE AQUEOUS SUSPENSION

TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

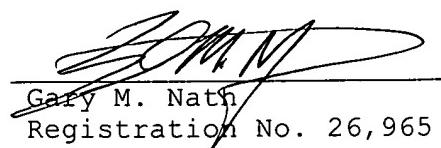
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Application Data Sheet;
- (3) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US)
Concerning Filing under 35 U.S.C. 371;
- (4) International Publication No: WO 2004/004739 A1
International Publication Date: 15 January 2004 (15.01.2004)
with Search Report which consists of 19 pages including:
 2 cover sheets containing the Abstract,
 14 pages Textual Specification,
 1 page of 7 claims,
 2 sheets of Drawings;
- (5) **Preliminary Amendment with Attachment A & B to be examined;**
- (6) Unexecuted Inventor's Declaration and Power of Attorney;
- (7) PCT Request;
- (8) PCT/IPEA/409 International Preliminary Examination Report;
- (9) PCT/IB/304 Transmittal of Priority document;
- (10) PCT/IB/306 Notification of the Recording of a Change;
- (11) PCT/IB/308 Notice informing the Applicant of the Communication of the International Application to the Designated Offices;
- (12) PCT/IB/332 Information concerning elected Offices Notified of Their Election;
- (13) Check No. 22325 \$ 1,000.00 for Basic National Stage Filing,
Search and Examination Fee;
- (14) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:



Gary M. Nath
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Joshua B. Goldberg
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Date: December 30, 2004

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